

Exhibit 7

1 SYLVIE K. KERN (SBN 111751)
2 KAG LAW GROUP
3 P.O. BOX 210135
4 San Francisco, CA 94121
5 Tel: 415-221-5763
6 sylviekern@yahoo.com

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Counsel for Indirect Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Case No. 3:07-cv-5944
MDL No. 1917

CLASS ACTION

This Document Relates to:
All Indirect Purchaser Actions

**DECLARATION OF SYLVIE K. KERN IN
SUPPORT OF PLAINTIFFS' APPLICATION
FOR ATTORNEYS' FEES, EXPENSES AND
INCENTIVE AWARDS**

Judge: Honorable Samuel Conti
Courtroom One, 17th Floor

1 I, Sylvie K. Kern, declare as follows:

2 1. I am an attorney licensed to practice before this Court and the courts of the State of
3 California, and a principal of the KAG Law Group. I have personal knowledge of the facts stated
4 in this declaration and, if called as a witness, I could and would testify competently to them. I
5 make this declaration in support of my firm's request for attorneys' fees and reimbursement of
6 litigation expenses, as set forth in Plaintiffs' Application for Attorneys' Fees, Expenses and
7 Incentive Awards.

8 2. My firm is counsel of record in this case and represents named plaintiffs Louise
9 Wood and Jeffrey Figone. My resumé is attached as **Exhibit 1** and incorporated herein by
10 reference.

11 3. Throughout the course of this litigation, my firm kept files contemporaneously
12 documenting all time spent, including tasks performed, and expenses incurred, and transmitted
13 those reports on a regular basis to Lead Counsel. All of the time and expenses reported by my firm
14 were incurred for the benefit of the Indirect Purchaser Plaintiffs ("IPPs").

15 4. During the course of this litigation, my firm has been involved in the following
16 tasks and activities on behalf of the IPPs. All of this work was assigned and/or approved by Lead
17 Counsel.

18 a. Participated in the drafting and filing of pleadings;
19 b. Supervised a document review team responsible for the review of thousands of
20 documents produced by defendants;
21 c. Analyzed results of document review and prepared extensive memoranda on key
22 documents for class certification and later for merits purposes;
23 d. Had a leading role in the briefing of motions and oppositions to motions (individual
24 and joint motions to dismiss; motion for class certification; motion to strike expert
25 reports; motions to compel; and motions for summary judgment, in particular
26 motions based on the Foreign Trade Antitrust Improvements Act ("FTAI"));
27 e. Argued motions and oppositions to motions to the Special Masters;

- 1 f. Primarily responsible for litigation involving Philips defendants in a related state
- 2 action brought by the California Attorney General, including briefing and arguing
- 3 motions to the Superior Court of California and preparing an appellate brief;
- 4 g. Primarily responsible for litigation involving Samsung Electronics Co., Ltd.;
- 5 h. Worked with experts on class certification issues, motions to strike expert reports,
- 6 and deposition preparation;
- 7 i. Met and conferred with opposing counsel regarding case management, substantive
- 8 legal issues, and discovery disputes;
- 9 j. Prepared for and participated in depositions of defendants and their employees;
- 10 k. Assisted in preparing key documents for trial, attended mock trials, and worked on
- 11 motions *in limine* and proposed jury instructions;
- 12 l. Conferred with Lead Counsel on a regular (sometimes daily) basis concerning case
- 13 and legal strategy, and settlement issues;
- 14 m. Participated in mediations and other settlement negotiations;
- 15 n. Participated in the drafting of settlement documents;
- 16 o. Participated in the drafting of settlement approval papers and reviewed proposed
- 17 class notices and claims forms.

18 5. The schedule attached as **Exhibit 2**, and incorporated herein, is a detailed summary
19 of the amount of time spent by my firm in this litigation. It does not include any time devoted to
20 preparing this declaration or otherwise pertaining to the Joint Fee Petition. The lodestar
21 calculation is based on my firm's historical billing rates in effect at the time services were
22 performed. Exhibit 2 was prepared from contemporaneous time records regularly prepared and
23 maintained by my firm. Those records have been provided to Lead Counsel and I authorize them
24 to be submitted for inspection by the Court if necessary. The hourly rates included in Exhibit 2
25 were, at the time the work was performed, the usual and customary hourly rates charged for their
26 services in similar complex litigation.

27 6. The total number of hours reasonably expended on this litigation by my firm from
28

1 inception to July 15, 2015 is 5,132.2 hours. The total lodestar for my firm at historical rates is
2 \$2,937,784. The total lodestar for my firm at current rates is \$3,592,540. Expense items are billed
3 separately and are not duplicated in my firm's lodestar.

4 7. The expenses my firm incurred in litigating this action are reflected in the books
5 and records of my firm. These books and records are prepared from expense vouchers, invoices,
6 receipts, check records and other source materials and accurately reflect the expenses incurred.
7 My firm's expense records are available for inspection by the Court if necessary.

8 8. My firm incurred a total of \$1,669.31 in unreimbursed expenses, all of which were
9 reasonable and necessary for the prosecution of this litigation. This amount was for non-common
10 litigation expenses incurred by my firm, such as travel, meals and lodging, copying, legal research,
11 telephone, etc. A summary of those expenses by category is attached as **Exhibit 3**.

12
13 I declare under penalty of perjury that the foregoing is true and correct. Executed this 24th
14 day of July, 2015, in San Francisco.

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Sylvie K. Kern

EXHIBIT 1

EXHIBIT 1

Resumé of Sylvie K. Kern

I obtained my undergraduate degree from U.C.L.A., magna cum laude and Phi Beta Kappa. I also hold a master's degree from the Johns Hopkins School of Advanced International Studies and a law degree from Hastings College of the Law, where I was a member of the Hastings International and Comparative Law Review.

Upon graduation from law school, I completed a two-year clerkship at the California Court of Appeal. I then entered private practice. For nearly 20 years I litigated complex commercial cases at Morrison & Foerster LLP, Brobeck Phleger & Harrison LLP, and Severson, Werson, Burke & Melchior. During this time, I represented corporate clients in multi-million-dollar litigation at trial and appellate levels in actions involving a wide variety of industries, including banking and financial, insurance, personal injury, real estate, securities, telecommunications, and transportation.

For the past ten years, I have litigated plaintiffs' antitrust class actions almost exclusively, first at Glancy Binkow & Goldberg LLP and thereafter at my own law offices. While at the Glancy firm, I participated in the prosecution of numerous MDL and state antitrust class actions on behalf of direct and indirect plaintiffs. The firm was Co-Lead Counsel in many of these actions, and in those actions I was usually part of the core team of attorneys managing the litigation.

Representative cases:

- *In re Automotive Parts Antitrust Litigation*, MDL No. 2311 (E.D. MI). Currently representing a California named plaintiff in over 25 class actions by indirect purchasers alleging antitrust violations in the automotive industry;
- *In re Urethanes Antitrust Litigation*, MDL No. 1616 (D. KS). Represented direct purchasers in an action alleging price-fixing of polyester polyol products.
- *In re Western States Wholesale Natural Gas Antitrust Litigation*, MDL No. 1566 (D. NV). Represented direct purchasers of natural gas in an action alleging Sherman Act violations affecting natural gas transactions.
- *In re Korean Air Lines Antitrust Litigation*, MDL No. 1891 (C.D. CA). Represented direct purchasers in an action alleging a conspiracy to fix prices on passenger flights.

Publications:

- “The FTAIA—A Changing Landscape,” *Competition*, The Journal of the Antitrust and Unfair Competition Law Section of the State Bar of California, Spring 2012, Vol. 21, No.1.
- “Is the FTAIA Jurisdictional? Subject Matter Jurisdiction after *Arbaugh* and *Elsevier*,” *Competition*, The Journal of the Antitrust and Unfair Competition Law Section of the State Bar of California, Fall 2010, Vol. 19, No.2.

Before entering law school, I was a Foreign Service Officer with the U.S. Agency for International Development (USAID).

EXHIBIT 2

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2007	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2008	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2009	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2010	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2011	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2012	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2013	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2014	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP		
Reporting Year		2015	

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917
TIME AND LODESTAR SUMMARY
INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP												
Reporting Year	Inception through I 7-15-15												

Year	1	2	3	4	5	6	7	8	9	10	11	12	Hours	Lodestar
2007	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2008	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2009	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	\$ -
2010	1.7	27.9	0.0	13.5	0.0	0.0	1.8	0.0	18.6	42.9	0.0	0.0	106.4	\$ 47,880.00
2011	0.0	2.0	0.0	150.9	0.0	0.0	212.0	0.0	13.3	0.0	0.0	0.0	378.2	\$ 179,645.00
2012	14.0	12.4	11.8	74.4	205.1	46.3	443.3	37.3	21.9	456.2	12.1	0.0	1334.8	\$ 687,422.00
2013	97.7	31.2	0.0	8.0	376.8	60.5	46.7	48.9	48.9	539.0	28.3	81.6	1367.6	\$ 779,532.00
2014	47.1	23.5	0.0	19.3	189.5	18.3	44.4	4.4	96.4	884.2	51.8	198.9	1577.8	\$ 986,125.00
2015	2.9	28.6	0.0	0.0	0.0	6.8	0.0	0.0	0.7	53.5	213.0	61.9	367.4	\$ 257,180.00
	163.4	125.6	11.8	266.1	771.4	131.9	748.2	90.6	199.8	1975.8	305.2	342.4	5132.2	\$ 2,937,784.00

STATUS:

- (P) Partner
- (OC) Of Counsel
- (A) Associate
- (LC) Law Clerk
- (PL) Paralegal
- (I) Investigator

CATEGORIES:

- 1 Attorney Meeting/Strategy
- 2 Court Appearance
- 3 Client Meeting
- 4 Draft Discovery Requests or Responses
- 5 Deposition Preparation
- 6 Attend Deposition - Conduct/Defend
- 7 Document Review
- 8 Experts - Work or Consult
- 9 Research
- 10 Motions/Pleadings
- 11 Settlement
- 12 Trial

EXHIBIT 3

IN RE CATHODE RAY TUBE (CRT) ANTITRUST LITIGATION; MDL NO. 1917

EXPENSE SUMMARY

INDIRECT PURCHASER PLAINTIFFS

Firm Name	KAG LAW GROUP
Reporting Year	Inception through 7-15-15

TYPE OF EXPENSE		TOTAL
Assessments		
Outside Copies		
In-house Reproduction /Copies	\$	661.98
Court Costs & Filing Fees		
Court Reporters 7 Transcripts		
Computer Research	\$	46.70
Telephone & Facsimile		
Postage/Express Delivery/Courier	\$	9.59
Professional Fees (investigator, accountant, etc.)		
Experts		
Witness / Service Fees		
Travel: Airfare	\$	611.06
Travel: Lodging/Meals	\$	339.98
Travel: Other		
Car Rental/Cabfare/Parking		
	\$	1,669.31